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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
NELSON LARA RIVIERA,)
a/k/a Nelson Lara,)
a/k/a Nelson Riviera,)
a/k/a Nelson Lara Rivera,)
)
Defendant.)

No. CR12-0630 CRB

**STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

On August 27, 2012, the parties in this case appeared before the court, for a detention hearing. At that time, the defendant waived his detention hearing without prejudice, and the matter was scheduled for an initial appearance before the district court on September 5, 2012. The parties have agreed to exclude the period of time between August 27, 2012 and September 5, 2012 from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the

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1 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). At the hearing, the court made findings
2 consistent with this agreement. SO STIPULATED:

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4 MELINDA HAAG
United States Attorney

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6 DATED: August 27, 2012

7 /s/
J. MARK KANG
Special Assistant United States Attorney

8
9 DATED: August 27, 2012

10 /s/
JODI LINKER
Attorney for NELSON LARA RIVIERA

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[PROPOSED] ORDER

For the reasons stated above and at the August 27, 2012 hearing, the court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from August 27, 2012 and September 4, 2012 is warranted and that the ends of justice outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: Aug 28, 2012


THE HONORABLE ELIZABETH D. LAPORTE
United States Magistrate Judge